

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**LEONARD C. JEFFERSON,**  
**Plaintiff**

**v.**

**WILLIAM WOLFE, et al.,**  
**Defendants.**

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**Civil Action No. 04-44 Erie**  
**District Judge McLaughlin**  
**Magistrate Judge Baxter**

**ORDER**

\_\_\_\_\_ Defendants have filed a motion for protective order [Document # 105], seeking relief from having to respond to approximately 330 requests for admission that Plaintiff served upon them on October 31, 2006. In particular, Defendants contend that the number of requests is burdensome, and that Plaintiff fails to set forth statements of fact that can either be admitted or denied. As relief, Defendants ask this Court to either strike the requests as a whole or require Plaintiff to resubmit a reasonable number of requests dealing only with statements of fact or genuineness of documents within the scope of knowledge of the individual Defendant(s) to whom such requests are directed.

AND NOW, this 27<sup>th</sup> day of November, 2006;

\_\_\_\_\_ IT IS HEREBY ORDERED that Defendants' motion for protective order [Document # 105] is GRANTED, as follows: Plaintiff is hereby directed to resubmit to Defendants' counsel no more than 75 requests for admission in conformity with the requirements of Rule 36 of the Federal Rules of Civil Procedure, within ten (10) days of the date of this Order. Failure to comply with this Order will result in an Order striking all of Plaintiff's requests as a whole.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Local Rule 72.1.3 B. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

S/Susan Paradise Baxter  
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SUSAN PARADISE BAXTER  
Chief U.S. Magistrate Judge